

1725

PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/584,333
Filing Date	June 23, 2006
First Named Inventor	Daisuke KUMAKI et al.
Group Art Unit	2826
Examiner Name	Scott R. Wilson
Attorney Docket Number	0756-7728
Total Number of Pages in This Submission	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input checked="" type="checkbox"/> Other Enclosures
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	1. Comments on Statement of Reasons for Allowance
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	2.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	3.
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	4.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	5.
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.	6.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	March 31, 2009

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.

Type or printed name	Tiffany S. Banks		
Signature		Date	March 31, 2009

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Attorney Docket No. 0756-7728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Daisuke KUMAKI et al.

Serial No. 10/584,333

Filed: June 23, 2006

For: LIGHT-EMITTING ELEMENT AND
LIGHT EMITTING DEVICE USING
THE SAME

) Group Art Unit: 2826

) Examiner: Scott R. Wilson

) CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 31, 2009.

)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowability mailed March 9, 2009, has been received and its contents carefully noted. This response is filed prior to payment of the Issue Fee and therefore is believed to be timely without extension of time.

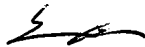
The Examiner's statement of reasons for allowance states that "[n]o prior art discloses ... where a layer containing TPAQn and a first substance embodied as an electron acceptor is formed between electrodes" (page 2, Paper No. 20090201; emphasis added). The Applicant notes that independent claims 1, 2, 5, 14, 15 and 18 recite "wherein the first, second and third layers are interposed between first and second electrodes which faces to each other" and that claim 1 recites "wherein the first layer includes TPAQn and a first substance showing an electron accepting property to the TPAQn," claim 2 recites "wherein the first layer includes a TPAQn and a first substance showing an electron accepting property to the TPAQn," and claim 5 recites "wherein the first layer contains a TPAQn and a first substance showing an electron accepting property to the TPAQn." However, claims 14 and 15 recite "wherein the first layer includes an aromatic amine compound and a first substance showing an electron

accepting property to the aromatic amine compound,” and claim 18 recites “wherein the first layer contains an aromatic amine compound and a first substance showing an electron accepting property to the aromatic amine compound” (emphasis added). In other words, claims 1, 2 and 5 recite “TPAQn” while claims 14, 15 and 18 recite “an aromatic amine compound.” The scope of claims 14, 15 and 18 is not limited such that “aromatic amine compound” is interpreted to mean only “TPAQn” and includes all types of aromatic amine compounds. The Applicant respectfully submits that the prior art does not explicitly or inherently teach or suggest the above-referenced features of 1, 2, 5, 14, 15 and 18 and that the claims are allowable for at least this reason.

Further, the Examiner’s statement of reasons for allowance states that “[n]o prior art discloses ... where the molar ratio of the first substance to TPAQn in the first layer is between 0.5 and 2.0” (Id.). However, the Applicant notes that none of the independent claims recites “that a molar ratio of the first substance to the TPAQn is 0.5 or more and 2 or less.” Rather, this feature is only recited in dependent claims 3 and 8, which depend from claims 1 and 2, respectively. Also, dependent claims 16 and 21, which depend from claims 14 and 15, respectively, recite “that a molar ratio of the first substance to the aromatic amine compound is 0.5 or more and 2 or less.” The scope of the independent claims is not limited to the molar ratio recited in dependent claims 3, 8, 14 and 15.

Should the Examiner believe that anything further would be desirable to place this application in better condition for issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789